

BEFORE THE PERSONNEL BOARD OF THE STATE OF ALABAMA
IN THE MATTER OF THE APPEAL OF
VERNUS MILES

ORDER

March 15, 2023

This matter came before the Board based upon the dismissal of the Employee from his employment with the Alabama Department of Corrections ("DOC"). The Employee was dismissed from his employment on November 10, 2022, based upon charges contained in a letter dated November 7, 2022. This matter was assigned to Administrative Law Judge James Jerry Wood and a hearing was held on February 3, 2023. The Administrative Law Judge's Recommended Order is now before the Board for consideration.

DOC charges that the Employee violated State Personnel Board (SPB) Rules: 670-X-19-.01(1)(a)(4)- (Failure to perform job properly); 670-X-19-.01(1)(a)(8) – (Violation of specific department rules); 670-X-19-.01(1)(b)(1) – (Violation of safety rules); 670-X-19-.01(1)(b)(10) – (Serious violation of any other department rule); 670-X-19-.01(1)(b)(12) – (Disruptive conduct of any sort); and 670-X-19-.01(1)(b)(13) – (Conduct unbecoming a state employee). Additionally, the Employee violated many regulations of the Alabama Department of Corrections Administrative Regulation 208.

A review of the Employee's recent work history shows: one (1) Verbal Warning in June 2009 for non-compliance with policies, procedures, and

regulations; and one (1) Written Reprimand in October 2016 for inattention to the job.

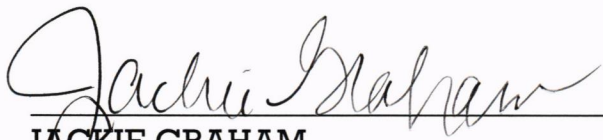
The Employee was employed by DOC as a Correctional Lieutenant assigned to Limestone Correctional Facility ("Limestone"). On August 15, 2022, a news station aired a story about staffing levels, security issues, and practices at Limestone. The person being interviewed had their voice disguised by a filter. On August 18, 2022, during an interview with the Warden, the Employee admitted to speaking to a reporter from the news station about the staffing and security practices at Limestone. The Employee admitted he made a mistake and that he often would vent and complain about Limestone's leadership to his subordinates and peers. Additionally, the Employee admitted that he allowed members of his staff to utilize his credentials on his computer at Limestone to facilitate their work in violation of DOC's computer usage policies. Lastly, the news station was in possession of DOC staffing reports and security information. The Employee denies giving any documentation to the news station, however, someone with access to these reports gave the news station these documents.

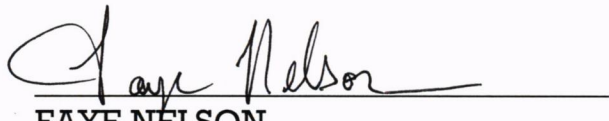
The Administrative Law Judge found the totality of the evidence does warrant dismissal in this cause and recommended that the Employee's dismissal be upheld. The Board hereby adopts by reference the findings of fact


and conclusions of law as found by the Administrative Law Judge as a part of this Order as if fully set forth herein.

The Board has carefully considered the Administrative Law Judge's Recommended Order and is of the opinion that the decision of the appointing authority to dismiss the Employee is supported by the evidence and that the termination is warranted.

It is therefore the Order of this Board that the decision of the appointing authority to dismiss the Employee is hereby affirmed.


JACKIE GRAHAM
SECRETARY


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CHAIR


MYRON PENN
MEMBER


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MEMBER

DAVID R. MELLON
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